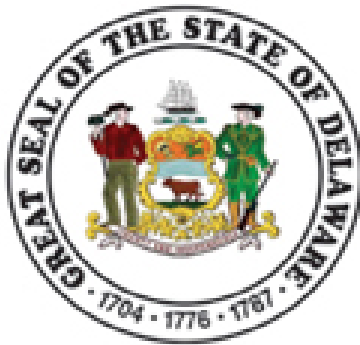


DEPARTMENT OF SAFETY AND HOMELAND SECURITY

DELAWARE



Alcohol & Tobacco Enforcement

2015 ANNUAL REPORT

WWW.DATE.DELAWARE.GOV

TIPLINE: 1-800 EYES-EARS (1-800-393-7327)





MISSION STATEMENT

To protect the health, safety and welfare of people in Delaware through the enforcement of state liquor and youth access to tobacco laws, while maintaining the highest state of preparedness for responding to threats against homeland security.



STATE OF DELAWARE
DEPARTMENT OF SAFETY AND HOMELAND SECURITY
P.O.BOX818
DOVER, DELAWARE 19903-0818
302-744-2680

The Honorable Jack A. Markell
Governor

The Honorable James N. Mosley
Secretary

To the Citizens of Delaware:

The men and women of the Delaware Alcohol and Tobacco Enforcement (DATE), both uniform and civilian, perform outstanding work every day. The incredible effort by this team has resulted in numerous accomplishments throughout the past year.

In 2015, the Division witnessed a continued transition from a regulatory agency to a more conventional law enforcement agency. In addition, DATE has been a great source of support for other law enforcement agencies as they assisted in many diverse investigations and missions in partnership with the Delaware State Police, Division of Gaming Enforcement, Department of Agriculture, and the Delaware Office of Highway Safety.

- DATE Agents kept a vigilant presence statewide ensuring compliance to Title 4 of the Delaware Code Alcoholic Commissioner's Rules and tobacco interdiction.
- On June 22, 2015, Governor Jack A. Markell and Delaware Safety and Homeland Security Secretary Lewis Schiliro joined together to recognize DATE for earning State accreditation.
- DATE partnered with the Delaware Office of Highway Safety to promote its alcohol prevention message during the prom season. A group of students at Caesar Rodney and Concord High Schools were selected to receive a DATE chaperoned chauffeured limousine ride to and from their prom. The limo displayed an alcohol prevention message.
- DATE Agents arrested a driver who was in possession of 394 cartons of untaxed cigarettes. The man, charged with possession of untaxed cigarettes and evading state excise tax, had two prior arrests associated with the smuggling of cigarettes.
- In a case involving a Facebook user, DATE made several undercover purchases of a grain alcohol mixture from a Delaware residence. Agents executed a search warrant at the home and charged the suspect with the illegal sale and storage of alcohol.
- The Underage Drinking Enforcement Campaign "Party Crashers" was designed and implemented as a multi-agency enforcement initiative to cut down on underage drinking in one of Delaware's popular beach towns where recent high school graduates frequently converge to celebrate. DATE collaborated with several Delaware law enforcement agencies, the State Fire Marshal's Office and the Sussex County Realtors Association during two weeks in June. During the initiative, Agents charged a 50-year-old homeowner with providing alcohol to 28 underage drinkers at the house. Officers also made 16 arrests during this initiative for underage possession or consumption of alcohol.

Please join me in extending sincere thanks and congratulations to the men and women of DATE whose generosity exemplifies DATE's commitment to our communities in a year filled with many accomplishments and successes.

Sincerely,

A handwritten signature in black ink, appearing to read "James N. Mosley".

James N. Mosley, Secretary
Department of Safety & Homeland Security



STATE OF DELAWARE

DEPARTMENT OF SAFETY & HOMELAND SECURITY

DIVISION OF ALCOHOL & TOBACCO ENFORCEMENT

34 STARLIFTER AVENUE OFFICE:
DOVER, DELAWARE 19901

(302) 741-2721
FAX: (302) 739-4770

To My Fellow Delawareans:

As the Director of the Division of Alcohol and Tobacco Enforcement, I am proud to submit our Annual Report. This report highlights the contributions, achievements, and commitment of our Division personnel for the year 2015.

In 2015 we witnessed a continued transition from a regulatory agency to a more conventional law enforcement agency. The Division of Alcohol and Tobacco Enforcement has been called upon by other law enforcement agencies to assist in a number of diverse investigations and missions.

In 2015 the Division continued its pursuit of excellence when it received Accreditation from the Delaware Police Chiefs Council. The Division met over 100 standards as set by the Commission and the process resulted in the development of new policies and procedures consistent with today's "best Practices" in law enforcement.

During 2015, The Division of Alcohol and Tobacco Enforcement forged partnerships with several community coalitions whose focus is on the prevention of substance abuse and underage drinking. These partnerships, along with the addition of a Humvee highlighting a community outreach message, have enabled the Division to increase its visibility in the community by participating in numerous health fairs and community events throughout Delaware. Together with the continued support and leadership of Governor Jack Markell, Secretary of the Department of Safety and Homeland Security Lewis Schiliro, incoming Secretary James Mosley, members of the General Assembly, and the citizens we serve, we will carry the Division into the future.

It is my hope that the information contained in this report will increase your awareness of the various initiatives of the Division of Alcohol and Tobacco Enforcement. As Director, I take great pride in the amount of hard work and dedication put forth by the Agents and civilian personnel of the division, and I commend them for their consummate professionalism and commitment to our mission, all while delivering the highest level of service possible. It is our intention to continue the good work we have done this year and build upon it in the upcoming years.

Sincerely,

A handwritten signature in black ink, appearing to read "John Yeomans", with a long horizontal line extending to the right.

John Yeomans
Director
Division of Alcohol & Tobacco Enforcement

EXECUTIVE STAFF



*Director
John Yeomans*



*Deputy Director
Robert Kracyla*



*Operations Supervisor
Lt. Kevin Jones*



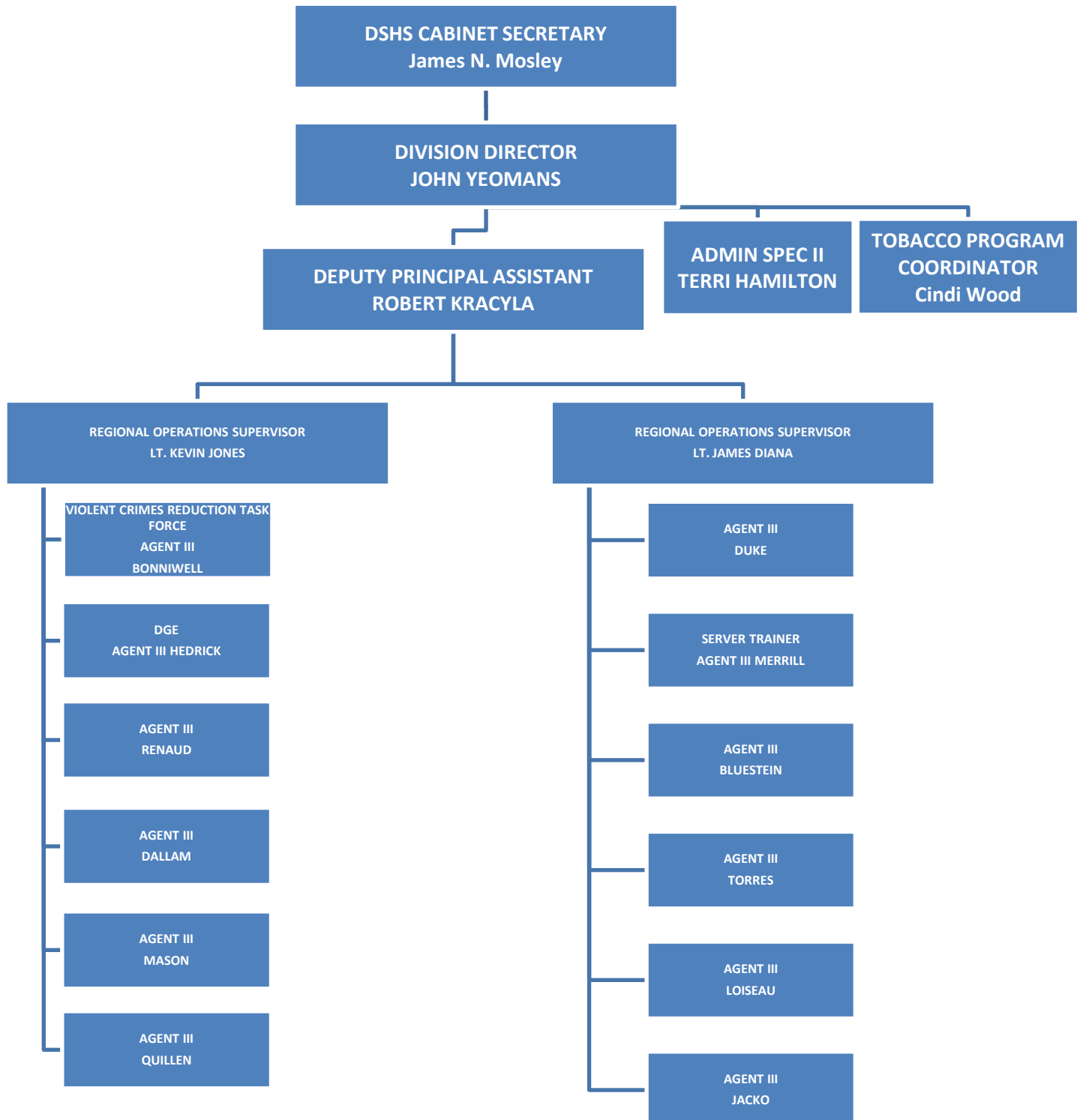
*Operations Supervisor
Lt. James Diana*

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DIVISION OF ALCOHOL & TOBACCO ENFORCEMENT

ORGANIZATIONAL FLOW CHART



AGENCY OVERVIEW

“Saving lives by enforcing Delaware’s Alcohol and Tobacco Laws”

The Division of Alcohol & Tobacco Enforcement is responsible for the enforcement of Title 4 (Delaware Liquor Control Act) and the Alcoholic Beverage Control Commissioner’s Rules, which apply to all retailers, suppliers, and wholesalers who manufacture, sell, serve, transport, or store liquor in the State of Delaware. The Division of Alcohol & Tobacco Enforcement is also responsible for the Youth Access to Tobacco Laws. Preventing youth access to tobacco is one of our core missions.

Agents of the Division of Alcohol and Tobacco Enforcement are certified police officers in the State of Delaware that have statewide jurisdiction, arrest powers and have full authority to enforce all of the laws of the state, including liquor, tobacco, drug, criminal, and traffic statutes. Agents routinely conduct investigations involving underage consumption and possession of alcohol, sales of alcohol and tobacco to underage persons, fictitious identification, over-service of alcohol to patrons, bootlegging, prostitution, illegal gambling, narcotics, tax evasion, Electronic Benefits Transfer (EBT) fraud, and other criminal activities. Agents work with federal, state, and local law enforcement agencies by assisting them with investigations and/or public safety issues.

AGENCY HISTORY

The Division and its agents have existed in some form since the 1920s. It has evolved considerably since its early days of tax collection and the investigation of bootleggers. Agents of the Division perform criminal and administrative investigations that encompass a variety of areas. Agents not only conduct investigations related to alcohol offenses, but also offenses that involve narcotics, tax evasion, tobacco enforcement, prostitution, organized criminal activity, illegal gambling, fraudulent identification and homeland security. The Division of Alcohol and Tobacco Enforcement has a long and proud history of protecting the health, safety and welfare of people in Delaware.



Alcohol Prohibition in the United States

2015 AGENT OF THE YEAR



George Merrill III

George H. Merrill III was born and raised in Wilmington, DE. He graduated from Salesianum High School in 1979 and shortly after enlisted in the United States Marine Corps where George received an Honorable Discharge with the rank of Corporal in 1985. That same year, George was appointed to the Wilmington Fire Department. In 2000, George graduated from the Wilmington Police Academy. In 2002, George was promoted to Lieutenant of Rescue Company #1, then quickly moved up the ranks so by 2010 he retired as appointed Deputy Chief of Fire/ Fire Marshal of the City of Wilmington until his retirement from the Wilmington Fire Department in 2010.

George has been an Agent with the Division of Alcohol and Tobacco Enforcement since 2010 where he is currently assigned as the primary Trainer for the statewide Server Training program. George teaches over 9,000 people every year how to serve alcohol in a responsible manner that includes topics such as How Alcohol Effects the Body, Checking ID, Recognizing the Signs of Intoxication, Title 4, and Commissioner's Rules. Some of Georges accomplishments include training in the basics of School Resource Officer, Social Networks as an Investigative Tool, Advanced Undercover Techniques and Survival, to name a few. In December 2015, George Merrill earned the Agent of the Year Award from the Division of Alcohol and Tobacco Enforcement.

George currently holds three Associates Degree's in Fire Protection Technology, Emergency Services Management and in Safety Management.

SPECIAL FUNDING

The Division of Alcohol & Tobacco Enforcement (DATE) is able to accomplish its mission through great planning, hard work and of course funding. The core of DATE's operations is financed by the state. However, some of the most notable accomplishments are supplemented by special funding.

One source of funding is through grants. Starting in 2014 DATE and DSAMH signed an agreement that in 2015 was to support DATE to impact underage drinking. This was accomplished by enforcing existing laws, educating the public about those laws and participating in existing prevention programs throughout Delaware. DATE enlisted the aid of 22 state and municipal law enforcement agencies which enabled this to be done throughout the entire state. This grant also paid for valuable trainings provided to our agents.

Coalition funding was very helpful in performing enforcement undertakings. Southern New Castle County community Coalition (SN4C) was key in sponsoring DATE to conduct enforcement activities for underage drinking for specified zip code areas in New Castle. SN4C has also helped to maintain our very popular Humvee used for community outreach events.



Division of Alcohol & Tobacco Humvee

TOBACCO ENFORCEMENT

Tobacco Synar Program

Preventing youth access to tobacco products is one of the core missions of the Division of Alcohol and Tobacco Enforcement. In July 1992, Congress enacted the Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act (PL 102-321), which includes an amendment aimed at decreasing youth access to tobacco. This amendment, named for its sponsor, Congressman Mike Synar of Oklahoma, requires states to enact and enforce laws prohibiting the sale or distribution of tobacco products to individuals under the age of 18. States must comply with the Synar Amendment in order to receive their full Substance Abuse Prevention and Treatment Block Grant (SABG) awards.

Because it plays a lead federal role in substance abuse prevention, Substance Abuse and Mental Health

Services Administration (SAMHSA) was charged with implementing the Synar Amendment. In January 1996, SAMHSA issued the Synar regulation to provide guidance to the states. The regulation requires that states:

- Enact and enforce laws prohibiting any manufacturer, retailer, or distributor of tobacco products from selling or distributing such products to any individual younger than age 18.
- Conduct annual, unannounced inspections that provide a valid probability sample of tobacco sales outlets accessible to minors.
- Negotiate interim targets and a date to achieve a noncompliance rate of no more than 20%.
- Submit an annual report detailing activities to enforce the law.

The Synar regulation requires States to assess compliance with State youth access laws via a statistically valid sample of youth accessible tobacco retailers. Rather than only test the required minimum licensed tobacco retailers in Delaware, the Division of Alcohol and Tobacco Enforcement (DATE) has instituted a policy that all (100%) licensed tobacco retailers would be tested at least one time per year. This policy far exceeds the requirements of the Synar regulation.

Tobacco Retailer Education

Each year, Agents work hard hand delivering Tobacco Retailer Education packets to ensure all of Delaware's Tobacco retailers fully understand tobacco laws, the penalties for failing to comply and tips to avoid violations. During this annual visit, Agents review all the material in the packet with the retailer, discuss Tobacco laws, verify required licensing and answer any questions that the retailer may have.

DATE continues to partner with Rserveing to provide free training for Tobacco retailers and their employees in Delaware. Rserveing's Tobacco Certification course is designed to help sellers understand Delaware's youth access to Tobacco law and FDA regulations, it teaches students how to check / read ID's and recognize fake ID's, as well as offering practical scenarios to learn how to refuse a sale. This free Rserveing training is provided in a convenient, online format. Anyone who is interested in this training can visit www.detobaccotraininig.com

Retailer Compliance Inspection

The Division strives to inspect every tobacco retailer in the state on an annual basis. All unannounced compliance inspections are conducted with two (2) Agents and one (1) Cooperating Underage Witness (CUW).

In 2015, more than 1,300 tobacco retailers were inspected and 95% of them were found to be in compliance. While most retailers did not sell tobacco products when tested, there were some who did. These failures resulted in 62 arrests and fines totaling over \$6,000.

Cooperating Underage Program

The Cooperating Underage Witness (“CUW”) program allows underage Delawareans the opportunity to work closely with law enforcement officers and help the Division of Alcohol and Tobacco Enforcement enforce Delaware's Tobacco and Alcohol laws and keep alcoholic beverages and tobacco products from being sold to persons too young to buy them.

Studies have shown that some Delaware youth are trying tobacco products and alcohol while they are underage. This can lead to abuse of other substances and cause serious health problems. The Division of Alcohol and Tobacco Enforcement is dedicated to enforcing Delaware's laws against sales to underage persons. The CUW program is a great help.

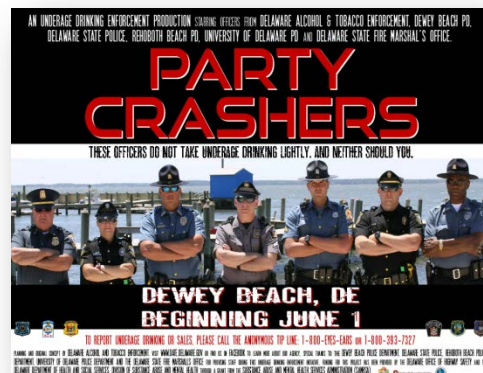
- **Tobacco CUW Program** - Tobacco CUWs are youth ages 16-17 that assist Enforcement Agents with unannounced Tobacco compliance inspections. Tobacco CUWs are paid an hourly rate. In 2015, DATE had 28 youth throughout the state participate in the Tobacco CUW Program.
- **Alcohol CUW Program** – Alcohol CUW’s are youth ages 17-20 that assist Enforcement Agents with unannounced Alcohol compliance inspections. Alcohol CUWs are volunteers and can earn credit for community service hours. In 2015, DATE had 30 Alcohol CUW’s throughout the state participate in the Alcohol CUW Program.

ALCOHOL ENFORCEMENT- PREVENTION INITIATIVES

June Bug-Party Crashers

The Underage Drinking Enforcement Campaign, “Party Crashers”, was designed as a multi-agency enforcement initiative to cut down on underage drinking in a popular beach town (Dewey Beach) in Delaware where recent high school graduates descend upon to celebrate their achievement. DATE collaborated with the State Police, Rehoboth PD, Dewey PD, the state Fire Marshal's office and the Sussex County Realtors Association during the first two (2) weeks of June.

During the initiative, Agents arrested a 50-year-old homeowner accused of giving alcohol to 28 underage drinkers who were partying at his house. Officers also made 16 arrests during this initiative for underage possession or consumption of alcohol, 1 each for being a fugitive, pot possession and an open alcohol container, and 2 for walking on a highway while drunk.



Prom Safe Ride Program

The Division of Alcohol and Tobacco Enforcement partnered with the Delaware Office of Highway Safety to offer limo rides to a select group of students at Caesar Rodney and Mt. Pleasant High Schools. The limo was wrapped in an alcohol prevention message and the students were chaperoned to and from the

prom by DATE Agents.



Buyers Beware Billboard

In 2015, DATE launched a “Buyers Beware” Statewide Billboard Campaign during the Prom/Graduation season to raise awareness about providing alcohol to minors and the penalties that ensue. More than 875,000 impressions were made via 10 strategically located billboards throughout all 3 counties in Delaware from May 22th – June 25th.



Fake IDs

Every year the Division of Alcohol and Tobacco Enforcement seizes a large amount of fake ID cards throughout the state. Most are from those under 21 attempting to purchase alcohol. But why is it so easy for teenagers to get these fake IDs? Overseas companies, typically in China, manufacture high quality driver's licenses with embedded security features and working barcodes. Various websites target kids with headlines like, "The spring break is coming! Have fun in your favorite restaurants and bars with your new ID!" The pricing encourages group orders, and the IDs are shipped—concealed in packages containing sales brochures, calculators and other cheap, disposable items designed to defeat X-rays. DATE agents are trained to spot these IDs and also conduct training for other police officers around the state in order to spot these fake ID cards. It is a widespread problem.

Alcohol Collaboration

The Division of Alcohol and Tobacco Enforcement knows it takes a team effort to accomplish some of its missions. DATE is proud to collaborate with the following agencies.

Delaware Office of Highway Safety
Office of Alcoholic Beverage Control
Commissioner
Southern New Castle County Communities
Coalition (SN4C)
DHSS & DSAMH SPFSIG



NOTABLE ACCOMPLISHMENTS

Accreditation

On May 26, 2015 the Division of Alcohol and Tobacco Enforcement was officially recognized for earning State accreditation. The path to accreditation involved a long and laborious process which took several years to meet the 105 standards of the Delaware Police Accreditation Commission (DPAC). Updating the policies and operations of the Division to DPAC standards was an important goal when John Yeomans was appointed the Division's Director in 2011 and policy updates began immediately. The Division's policy manual was completely revised from the ground up in order to meet DPAC standards. This process helped the Division measure current operations against established practices. The end result was a better agency that can carry out the important mission of serving the citizens of Delaware.



On June 22, 2015 Governor Jack A. Markell and Delaware Safety and Homeland Security Secretary Lewis Schiliro joined together to recognize the Delaware Division of Alcohol and Tobacco Enforcement (DATE) for earning State accreditation.

State Accreditation is a process by which a police agency voluntarily demonstrates how they meet professionally recognized criteria for excellence in management and service delivery. The Division formally completed this process on April 17, 2015. The accreditation award is granted for a three year period during which time the Division must maintain annual records attesting to continued compliance with all applicable standards. During each three year cycle, an on-site assessment is conducted by DPAC assessors in order to maintain the accreditation status.

Benefits Of Accreditation

CONTROLLED LIABILITY INSURANCE COSTS – Accredited status makes it easier for agencies to purchase police liability insurance; allows agencies to increase the limit of their insurance coverage more easily; and, in many cases, results in lower premiums.

STRONGER DEFENSE AGAINST LAWSUITS AND CITIZEN COMPLAINTS – Accredited agencies are better able to defend themselves against lawsuits and citizen complaints. Many agencies report a decline in legal actions against them once they become accredited.

GREATER ACCOUNTABILITY WITHIN THE AGENCY – Accreditation standards give the Division Director a proven management system of written directives, sound training, clearly defined lines of authority, and routine reports that support decision making and resource allocation.

STAUNCH SUPPORT FROM GOVERNMENT OFFICIALS – Accreditation provides objective evidence of an agency's commitment to excellence in leadership, resource management, and service-delivery. Thus, government officials are more confident in the agency's ability to operate efficiently and meet community needs.

INCREASED COMMUNITY ADVOCACY – Accreditation embodies the precepts of community oriented policing. It creates a forum in which police and citizens work together to prevent and control crime. This partnership helps citizens understand the challenges confronting law enforcement and gives law enforcement clear direction about community expectations.

IMPROVED EMPLOYEE MORALE – Accreditation is a coveted award that symbolizes professionalism, excellence, and competence. It requires written directives and training to inform employees about policies and practices; facilities and equipment to ensure employees' safety; and processes to safeguard employees' rights. Employees take pride in their department, knowing it represents the very best in law enforcement.

SERVER TRAINING

The primary objective of the mandatory Server Training Program is to educate and assist the alcoholic beverage server as to how to serve and sell alcoholic beverages in a responsible manner, consistent with the ABC Commissioner Rules and the Laws of the State of Delaware.

Upon the successful completion of this program, a certified server will have the necessary tools to fulfill their obligations of serving alcoholic beverages responsibly. Serving alcoholic beverages in a responsible manner is not an option or a choice...it's the law.

The Division of Alcohol and Tobacco's responsibility is to make sure that the server understands their

responsibilities. When a person accepts a license to serve and sell alcohol they accept a public trust that they will serve and sell alcohol in a responsible manner. The Division works to ensure that servers realize that failing to uphold their responsibility to abide by the laws and rules of the State of Delaware may not be just a matter of a criminal court hearing and a fine. It could escalate into a serious civil hearing with the possible repercussions of a judgment with substantial punitive damages.

In 2015, Agent George Merrill instructed 188 Server Training classes. He certified 7,703 new trainees and recertified 712 servers.

He taught 3,532 new trainees in New Castle County, 2,012 in Kent County and 2,159 in Sussex County. He re-certified 362 in New Castle County, 119 in Kent County and 231 in Sussex County.



Agent George Merrill instructs 15 Server Training classes a month.

EVIDENCE

Money Seized/Handling

The evidence room is maintained by Agent Daniel Duke. Agent Duke was certified in 2014 by the International Association for Property and Evidence. Inc. (IAPE). He maintains all seized evidence and monies. He manages the pre-adjudicated and adjudicated seized funds accounts using a new system implemented by DATE and Fiscal offices allowing all seized cash to be held in an account at the bank as opposed to on site. This system allows for complete accountability. In 2015 DATE destroyed 3.875 tons of seized alcohol & tobacco products, seven seized hand guns and two rifles.



TRAINING

You Can't Stop What You Don't Know, Jermaine Galloway at UDPD

DATE partnered with DHSS, DSAMH and the University of Delaware to provide training for law enforcement agencies regarding alcohol and underage drinking trends, non-traditional ways of alcohol consumption, the high drinking and heavy designer drug usage rates and overdoses associated with EDM's, music festivals & events, new drug trends and associated clothing.

The training was instructed by Jermaine Galloway, known as the "Tall Cop". He is a highly recognized national instructor and at the time was an Idaho Police Officer who is an expert on alcohol and drug trends.



Officer Galloway brought over 100 visual aids and set up a "mock bedroom" interactive display, along with photos, videos and detailed descriptions of the different items and trends. Approximately 162 certificates were handed out in this multi-agency event.



SPECIAL UNITS

Delaware Violent Crime Reduction Task Force (DVCRTF)

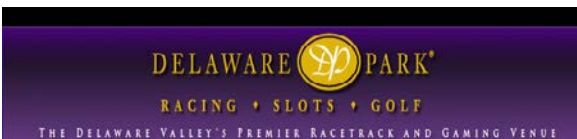
The DVCRTF unit was created in 2014 and operates through both the U.S Attorney's Office in Wilmington and the State of Delaware Department of Justice. This unit includes sworn officers from the Wilmington Police Department, the New Castle County Police Department, the Division of Alcohol and Tobacco Enforcement (DATE), the Delaware State Police and a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives. This Task Force focuses on the investigation & prosecution of firearm related crimes throughout the State of Delaware and on persons who are prohibited from possessing firearms. Through additional investigation, this unit will attempt to identify the source of the illegal firearm(s) possession and determine how the prohibited person obtained the firearm(s). DATE Agent III Aaron Bonniwell has been an integral part of this team.

Critical Incident Stress Management (CISM)

Deputy Director Kracyla is currently a member of the Delaware State Police CISM Team. The CISM Team provides peer counseling services to law enforcement and emergency service personnel for both state and municipal agencies throughout the State of Delaware. The team presently consists of 14 sworn and 4 civilian members who have received training endorsed by the International Critical Incident Stress Foundation.

DATE/DGE Partnership

In 2015, Agent Brian Hedrick investigated a total of 89 complaints, of which 14 were gaming related, 19 felony complaints, 47 misdemeanor complaints, and 9 miscellaneous investigations resulting in 116 criminal charges; 75 felony charges and 36 misdemeanor charges. Agent Hedrick assisted outside agencies with 9 investigations and made 11 fugitive arrests that had warrants from other jurisdictions. Agent Hedrick also recovered over \$25,000 in cash, assets, and property stemming from the above criminal cases. Agent Hedrick conducted 3 on-Site alcohol inspections, 3 cooperating underage witness operations, taught 3 server training classes which trained 65 individuals, and gave 3 fictitious identification detection classes.



Special Tactics And Response Team



The Special Tactics and Response team (S.T.A.R.) is a multi-jurisdictional team and falls under the supervision of Smyrna Police Department. The S.T.A.R. team not only handles calls for service within the town of Smyrna, but also assists other municipalities with their respective search warrant entries. Having a DATE agent assigned to the S.T.A.R. provides an additional asset to the Division for high risk entries and/or a tactical response which may be needed to safely take control of a structure. Currently, the Division has one agent assigned to the unit. In 2015, members of the S.T.A.R. team had a total of 20 missions, most of which were drug search warrant entries. However, the team also received calls for service from agencies outside the State of Delaware for various violent felons that were hiding in the state. All S.T.A.R. team operators are certified SWAT Type-3 operators, as defined by the United States Department of Safety & Homeland Security, and have received additional advance training in such areas as hostage rescue, acts of terrorism, and officer down rescue. Through extensive training and dedication, all of the calls for service were executed in a safe and professional manner.



In 2015, the S.T.A.R. team was responsible for the seizure of the following contraband:

- Marijuana: 5lbs
- Various prescription pills: 50
- Crack cocaine: 20 grams
- United States Currency: \$5k
- Heroin: 15 logs of heroin
- Vehicles: 2
- Fugitives: 10 (responsible for various violent felonies)
- Various types of drug paraphernalia



15 Grams of Heroin



15 lbs. of Marijuana

The team trains 2-3 times per month for an annual total of 240 training hours. Team operators also receive advance training at various schools, putting each operator's yearly training hours well over 200.

As the Special Tactics and Response team moves forward in 2015, the team will continue to be responsive to the ever changing needs of the Division, the residents of the State of Delaware, and will do so with the highest level of professionalism and dedication.

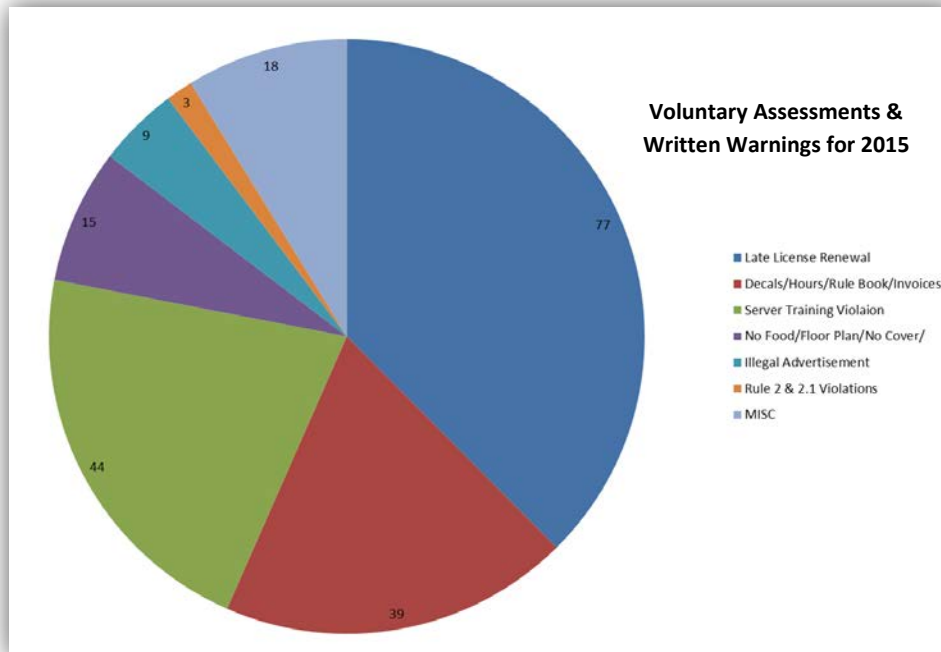
SPECIAL PROGRAMS

Hearings

The Division of Alcohol & Tobacco Enforcement in addition to making criminal arrests, forwards violations in the form of 'hard copy violations', 'voluntary assessments' and 'written warnings' to be handled before the Office of the Alcoholic Beverage Control Commissioner (OABCC). Agent Michael Loiseau serves as Hearing Officer, his duties include; representing the Division at the OABCC hearings, in-taking all 'hard copy violations', logging all hearing results, tracking and logging all 'written warnings' and 'voluntary assessments'.

Alcohol & Tobacco Enforcement filed 114 'hard copy violations' and the OABCC held 8 hearings, at which the Division presented a number of violations. In most of the cases handled by the Hearings Officer the licensee agrees to a plea agreement and accepts the Divisions recommendation on penalty. In less than 5% of the cases, the licensee requests a trial before the Alcoholic Beverage Control Commissioner.

In 2015 the Division issued 42 'written warnings' and 164 'voluntary assessments'. 'Voluntary assessments' are a voluntary opportunity to plead guilty to a violation and pay a fine, they accounted for \$19,895.00 in fines for 2015. A total of \$81,495.00 in fines was collected in 2015.



Honor Guard

The Division of Alcohol and Tobacco (DATE) Honor Guard Unit currently consists of 5 members. Honor Guard members represent DATE at high profile events throughout the state as members of the color guard. Honor Guard members also serve as pallbearers and conduct casket watch when requested by families of fallen or deceased DATE officers and retirees.

Honor Guard members must be committed to demonstrate exceptional professionalism in representing the Division. They must have a strong military bearing and a commitment to training and maintenance of their uniform.

Members of the DATE Honor Guard are as follows: Agent in Charge: Deputy Director Kracyla; Members: Lt. Diana, Agent Bonniwell, Agent Dallam and Agent Torres.





Electronic Benefits Transfer Cards (EBT)

Electronic Benefits Transfer Cards (EBT) fraud is on the rise. State officials reported that more than \$336,798 in food stamp benefits were fraudulently used in the Fiscal year 2013, and annual trafficking in the Delaware is believed to take in millions of dollars.



DATE agents have increasingly come across cases of this abuse. In October, DATE agents along with SA Charmeka Parker of the US Department of Agriculture, Office of Inspector General, investigated and found that EBT cards were being misused during transactions at Happy Gas, bringing two misdemeanor charges against the owner last week and perhaps sending a strong enforcement message to anyone involved in similar alleged schemes.

COMMUNITY EVENTS

Community Outreach is an integral part of the Divisions mission to foster healthy and safe communities throughout Delaware. Is it our constant goal to raise awareness and promote the prevention of underage drinking and tobacco usage while building and maintaining relationships and partnerships within the community.

In the last several years DATE has increasingly become a regular sight at many community events. 2015 was no different. In fact, DATE's preventative message regarding underage drinking and tobacco use was in high demand. Setting up tables with activities promoting the dangers of underage alcohol and tobacco use along with the Hummer was becoming routine.

To meet this goal, the Division provides comprehensive education and interactive outreach at community events, in public schools, colleges and for civic groups to reach adolescents and families in Delaware.

In 2015, the Division attended over 25 community events that allowed our Agents and Staff to engage with approx. 10,000+ citizens. Some of the events we attended in 2015 were:

- Delaware State Fair/Healthy Fair for Kids (Harrington, DE)
- Safe Summer Day (Camden, DE)
- Community and Health Safety Fairs (Statewide)
- Prevention and Awareness Day Events (Statewide)
- National Night Out (Middletown, DE)



Best Buddies Walk
Agent Hedrick



Drinking Prevention Campaign
Deputy Director Rob Kracyla



Dover Mall Community & Family Day



Operation Christmas Wish
Director John Yeomans



Polar Bear Plunge
Agent Aaron Bonniwell



Delaware State Fair Healthy Kids Fair
Agent Tracy Torres



Special Olympics Basketball Tournament
Lt. James Diana



Walk in Their Shoes
Agent Donald 'The Bear' Bluestein



Stuff the Bus Food Drive
Agent Donald Bluestein

NOTABLE CASES

Single Cigarette Sales

Members of the Delaware Division of Alcohol and Tobacco Enforcement (DATE) worked together with the Wilmington Police Department's Community Policing Unit who received nuisance complaints of an individual engaged in the illegal sale of single cigarettes. The sale of these 'loose' cigarettes was taking place in the area of Lancaster and Greenhill Aves, located in the city.

Investigation revealed that the 65 year old defendant in Wilmington, Delaware was selling single cigarettes from open packs to area clientele. The activity included walk up, drive up and bike up sales as he sat in his car and his clientele came to him.

Both the Division of Alcohol and Tobacco Enforcement and members of the Wilmington Police Department's Community Policing Unit conducted the investigation and subsequent arrest on November 13, 2015 resulted in 27 tobacco related misdemeanor charges:

- 13 counts of Unlawful to distribute tobacco products for commercial purpose unless sealed in manufacturers package
- 13 counts of Unlawful to distribute and tobacco product under 27 years without proof of age
- 1 count of Unlawful to sale of tobacco without a license
- As well as the seizure of \$ 95.00 in currency and a number of loose cigarettes.

The defendant was released on \$2,700 unsecured bail.

Tobacco Smuggling

On April 15, 2015, the Division of Alcohol & Tobacco Enforcement (DATE) was contacted by the Delaware State Police after a trooper stopped a vehicle travelling north on SR 1 south of Odessa for speeding. A large amount of cigarettes were found in the vehicle. The 25 year old defendant of New York, NY was travelling north on SR 1 in a rental vehicle. Further investigation revealed the driver was in possession of 394 cartons of untaxed cigarettes of various brands.



A DATE agent responded to the scene and verified that the 394 cartons were obtained in Virginia and were being transported to an unknown destination. Defendant was charged by DATE with Possession of Untaxed Cigarettes and Attempting to Evade Delaware Excise Tax. The rental car was confiscated and returned to the rental company. He was later released after posting a \$5,500 cash only bail.

Moonshine

In August, DATE Agents were able to make undercover purchases of homemade liquor (moonshine) at a residence in Clayton, DE. A search warrant was later executed and a total of 22 jars of moonshine were recovered and two subjects were arrested for the illegal sale and storage of alcohol and evading state

excise tax. The moonshine was reportedly manufactured in Tennessee. DATE Agents are continuing to work with the Tennessee ABC to track the source of this moonshine.



In June 2015, DATE Agents received a tip from Dover Police Department that a subject was selling homemade alcoholic beverages to the public via Facebook. After securing undercover purchases, Agents executed a search warrant at the subject's Smyrna, DE residence. The liquor that was being sold was flavored grain alcohol mixture. The subject was charged with the illegal sale and storage of alcohol.

Bootlegger

The Division of Alcohol & Tobacco Enforcement (DATE) received information that a owner of a resident in Georgetown was selling alcoholic beverages from the residence without a license. An investigation was launched and DATE agents were able to secure multiple purchases of alcoholic beverages from the residence. On Friday, April 17, 2015 DATE agents executed a search warrant at that location. Agents seized various brands of beer and other alcoholic beverages along with \$1,460.00 in cash.

DATE agents arrested the owner of the residence on criminal charges, and recovered an illegal Electronic Benefits Transfer Card (EBT) in his possession that did not belong to him. He was charged with the above stated offenses and was later released on a \$3,000 unsecured bond.

Identity Theft/Credit Card Fraud

In November, 2015, Agent Hedrick received an identity theft/credit card fraud complaint that occurred at Dover Downs Hotel & Casino. The casino stated that between the dates of August 21, 2015 through September 02, 2015 an unknown white male subject made 42 purchases with a credit card totaling \$6,150.00. The suspect purchased gift cards and would then redeem them at the casino for cash. Using various investigative techniques, Agent Hedrick obtained the victim's information and successfully made contact with him. During the course of the investigation, Agent Hedrick developed a suspect and obtained a picture of him and the clerk was then able to positively identify the suspect.

The suspect was arrested for multiple counts of Forgery 2nd, multiple counts of theft from a senior, identity theft, and unauthorized use of a credit card, all of which are felonies. As a result of the investigation, the suspect made full restitution to all parties involved.

Illegal Gambling/Theft/Criminal Impersonation

In January, 2015, Agent Hedrick received gambling complaint at Delaware Park. The suspect was observed by another player and surveillance footage of past posting \$5.00 (increasing the wager after outcome of the game was determined) on the pay line after she realized she had a winning hand. She was able to do this while the dealer's attention was diverted. Security was notified and approached the suspect. She did not have positive identification and provided them with a name. Agent Hedrick arrived to the scene and made contact with the suspect. After viewing the surveillance footage, Agent Hedrick advised the suspect she was under arrest and then discovered her driver's license was in her wallet. She was arrested for past posting a wager, theft, and criminal impersonation.

DATE IN SOCIAL MEDIA



In 2013, the Division of Alcohol and Tobacco Enforcement launched its first Facebook post. Using social media has become a valuable resource to effectively reach the community. Social Media helps civilize the Division force by allowing us to connect and converse with the general public on an array of topics, but more importantly, it provides a platform for the Division to collect and share information on a real-time basis as well as respond to tips from civilians. Please follow us at www.facebook.com/DelawareATE or at www.twitter.com/DelawareATE.

